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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,369	09/30/2003	Kazuhiro Ishiguchi	243176US2	4331
22850	7590	08/11/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LIVEDALEN, BRIAN J	
			ART UNIT	PAPER NUMBER
			2878	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,369

Applicant(s)

ISHIGUCHI, KAZUHIRO

Examiner

Brian J. Livedalen

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/30/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the optical sensor elements must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 –5, 7, 8, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Muthu et al. (US 2002/0097000).

In regard to claims 1-3 and 7, Muthu discloses (fig. 1) a light source unit including a light source having a plurality of light source elements (22, 23, 24) for emitting different wavelengths of light; a temperature controller (34) for keeping the source at constant temperature and approaching a given value (paragraphs 0033-0036); a light mixer (26) for mixing light emitted by the plurality of light source elements; a light detector (30) for detecting light for the light mixer capable of detecting a plurality of different wavelengths of light; and a light source controller (34) for controlling luminance of each of the plurality of light source elements based on values detected by the light detector and the temperature detector so that the values for each wavelength reach a given value (paragraphs 0019 and 0020).

In regard to claim 4, Muthu discloses (fig. 1) that the light source controller (34) controls luminance of each of the plurality of light source elements so that the light source unit has substantially constant chromaticity (paragraph 0025).

In regard to claim 5, Muthu discloses (fig. 1) that the temperature controller (34) changes a temperature value to be maintained in the light source based on a temperature value detected by the detector, and the light source controller controls the light source elements to have luminance corresponding to the temperature to be maintained (paragraphs 0033-0035).

In regard to claim 8, Muthu discloses (fig. 1) a light source controller (34) that controls luminance of each of the plurality of the light source elements based on a change in value detected by the temperature detector so as to suppress the change in chromaticity of the light source unit (paragraphs 0033-0035).

In regard to claim 10, Muthu discloses (fig. 1) a light source controller (34) that controls each of the plurality of light source elements to emit light with luminance corresponding to a temperature value detected by the temperature detector (paragraphs 0033-0035).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muthu et al. in view of Beretta (US 5831686).

In regard to claims 6 and 9, Muthu discloses (fig. 1) a light source unit as set forth above. Muthu is silent regarding a light detector comprising N number of optical sensors corresponding to each of N number of colors. However, Beretta discloses a light detector comprising N number of optical sensors corresponding to each of N number of colors (column 7, lines 13-28). It would have been obvious to one of reasonable skill in the art at the time the invention was made to include the multiple sensors of Beretta to the light source unit of Muthu to increase the speed of the controlling process.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muthu et al. in view of Rand et al. (US 6521879).

In regard to claims 11 and 12, Muthu discloses (fig. 1) a light source unit including a light source having a plurality of light source elements (22, 23, 24) for emitting different wavelengths of light; a temperature controller (34) for keeping the source at constant temperature and approaching a given value (paragraphs 0033-0036); a light mixer (26) for mixing light emitted by the plurality of light source elements; a light detector (30) for detecting light for the light mixer capable of detecting a plurality of different wavelengths of light; and a light source controller (34) for controlling luminance of each of the plurality of light source elements based on values detected by the light detector and the temperature detector so that the values for each wavelength

reach a given value (paragraphs 0019 and 0020). Muthu is silent regarding the specific utility of the light source unit. However, Rand teaches that a light source unit that emits different wavelengths of light using LEDs and optical feedback is used for the light source of a flat panel display (Field of the Invention). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the invention of Muthu as a light source for a flat panel display in order to project images rather than white light.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 8:30 am to 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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